

Raymond F. Wegner
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AUG 19 2008

Without Counsel

CLERK, U.S. DISTRICT COURT
FAIRBANKS, AK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

| | | |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | Case No. F04-0010 CR (RRB) |
| Plaintiff, |) | |
| vs. |) | DEFENDANT RAYMOND F WEGNER |
| |) | and JULIE M WEGNER |
| RAYMOND F WEGNER |) | MOTION TO MODIFY CONDITIONS |
| JULIE M WEGNER, |) | OF SENTENCE |
| Defendants. |) | |
| |) | |

Defendant Raymond F Wegner and Julie M Wegner, without counsel, hereby respectfully move this Honorable Court for an order to modify our conditions to remove the requirement of filing accurate income tax returns for the past years as established by the IRS (1995, 96 & 97). AS GROUNDS THEREFORE, Defendant's Ray and Julie Wegner state the following request for consideration:

We have worked with the IRS on a continuous basis to try and work out a payment plan and to comply with our conditions of probation. We pay 15% of our gross income towards restitution. We were advised that the restitution money was to go towards our debt with the IRS, and have been advised by the clerk of the court that the payments are being sent to the IRS. We do not have extra funds left at the end of the month to pay additional money to the IRS separate from the restitution payments, but may be required to do so from what we understand.

In 1999 when we were first approached by the IRS, we had advised our tax accountant that all the returns originally filed needed to be re-filed combining our personal returns with the business income. Our accountant told us that the returns had been completed and filed with the IRS. We honestly thought this was taken care of, but recently found out while meeting with the IRS that it had not been done, or was not accepted.

When we went to the local IRS office to request copies of the original returns filed, we were advised that tax returns were only kept on file for 10 years. We have searched our files and have been unable to locate copies of the original returns filed for the years requested by the IRS. We compiled as much information as possible and have provided it to our current tax accountant requesting him to redo our tax returns for 1995, 96 & 97.

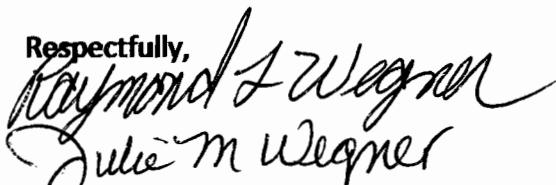
This has proven to be a difficult and possibly impossible task to complete without accurate records from the past. Not only do we not have the returns, but we have limited records for these

years. I have spent hours trying to locate all the records and have gone through boxes of information, over-and-over. Our accountant has stated that the past returns are needed in order to redo the returns. If he does the returns with incomplete information, their accuracy may be impaired. We not only will have to pay a lot of money to get these completed, but with the fact that we do not have complete records, it is not known how accurate they will be. We obviously have not kept all of our records and are sorry to say, we do not have everything we need to complete this task.

The IRS states we owe them over \$500,000.00 with penalties and interest. Even if accurate returns with allowable deductions were re-filed, it would not make a significant difference to benefit us or the IRS. Back when we had our previous accountant redo the taxes, his figures showed us owing approximately \$60,000.00 for these three 3 years. The penalties and interest imposed by the IRS for over 10 years on even \$60,000.00, makes it impossible for us to ever get this debt satisfied in our lifetime. The penalties and interest grow faster than our payments and continue to do so no matter what. We continue to pay, but our payments make very little impact on the final balance due to continued growing penalties and interest.

We pray for your consideration on this matter.

Respectfully,

Handwritten signatures of Raymond F. Wegner and Julie M. Wegner. The signature of Raymond F. Wegner is written in cursive and is positioned above the signature of Julie M. Wegner, which is also in cursive.

Defendants,

Raymond F Wegner

Julie M Wegner

WHEREFORE, Defendant Raymond and Julie Wegner respectfully pray for an Order granting our Motion to Modify Conditions of our sentence by removing the requirement to re-file tax returns for the years of 1995, 96 and 97.

RESPECTFULLY SUBMITTED this 17th day of August 2008

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